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FM AMEMBASSY BRUSSELS
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7927
INFO RUEHZG/NATO EU COLLECTIVE IMMEDIATE
RUEHAS/AMEMBASSY ALGIERS IMMEDIATE 1974
RUEHAM/AMEMBASSY AMMAN IMMEDIATE 0091
RUEHEG/AMEMBASSY CAIRO IMMEDIATE 0110
RUEHNC/AMEMBASSY NOUAKCHOTT IMMEDIATE 0515
RUEHRB/AMEMBASSY RABAT IMMEDIATE 2365
RUEHTV/AMEMBASSY TEL AVIV IMMEDIATE 4180
RUEHTU/AMEMBASSY TUNIS IMMEDIATE 0475
RUEHNO/USMISSION USNATO IMMEDIATE 8363
RUEAIIA/CIA WASHDC IMMEDIATE
RUEKJCS/SECDEF WASHDC IMMEDIATE
RUEKJCS/JOINT STAFF WASHDC IMMEDIATE
RHEFDIA/DIA WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L BRUSSELS 001340

SIPDIS

EUR/RPM FOR SHINAGEL; USNATO FOR BAEZ

E.O. 12958: DECL: 08/29/2023

TAGS: [NATO](#) [PREL](#) [EUN](#) [BE](#)

SUBJECT: NATO MEDITERRANEAN DIALOGUE SOFA: BELGIUM AGREES
ON JURISDICTION BUT HAS LEGAL OBSTACLES TO USING AN
EXCHANGE OF LETTERS

REF: STATE 92323

Classified By: POL/E Counselor Richard Eason, Reasons 1.4 (b) and (d).

¶1. (C) On August 29, POL/E Counselor delivered the referenced points and proposed MED-D SOFA Exchange of Letters (EoL) to Pol De Witte, Director of Security Policy and Patrick Duray, Legal Counsel, both of the Belgian MFA.

¶2. (C) Both De Witt and Duray agreed that Belgium does not support the shared jurisdiction construct found in the MED-D SOFA. Neither was able to comment on the position of the USG with respect to reciprocity.

¶3. (C) However, the U.S. preference to rely on an EoL instead of an all-encompassing SOFA causes legal difficulties for Belgium. Under Belgian law, any exchange of letters requires parliamentary approval. As a result, an MOU would be easier for the Belgian government and would not entail a perhaps lengthy clearance process in parliament. He believed other NATO members might have the same requirement. De Witte commented that both sides would therefore need to find some compromise at the September 2 meeting of NATO legal advisors.

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